

REMARKS

The Office Action in the above-identified application has been carefully considered and this amendment has been presented to place this application in condition for allowance. Accordingly, reexamination and reconsideration of this application are respectfully requested.

Claims 1–9 are in the present application. It is submitted that these claims are patentably distinct over the prior art cited by the Examiner, and that these claims are in full compliance with the requirements of 35 U.S.C. § 112.

Claims 1, 8, and 9 were rejected under 35 U.S.C. § 102(a) as being anticipated by Washington et. al. (U.S. Patent 5,920,572). However, for at least the following reasons, Washington fails to anticipate the present invention. The present invention is a “channel decoder for a digital broadcast receiver, comprising a synchronization byte detector (1).” (Claim 1) The Examiner asserts that Washington’s transport stream decoder/demultiplexer anticipates the claimed channel decoder comprising a synchronization byte detector. Yet, Figure 5, of Washington shows a channel decoder 68 separate and distinct from the transport stream decoder/demultiplexer 100. Consequently, it is clear that Washington recognizes this distinction and the Examiner’s assertion is an explicit contradiction of the teachings of Washington. Further, the present invention claims “said synchronization byte detector (1) provides a lock detected output signal indicating the lock-in of the receiver to one broadcast channel.” Washington is devoid of such a teaching. Instead, as quoted by the Examiner on pages 2 and 3 of the Office Action, Washington teaches that “if the packet framer 120 is able to identify a sync-byte ..., then the packet framer 120 can presume that it has identified the boundaries of the

transport packets with the transport stream and is locked in synchronism thereto.” Moreover, it is clear from Column 2, Lines 33-37 and Column 9, Lines 5-9 in conjunction with Figures 1 and 5 that the channel decoder 68, not the transport stream decoder/demultiplexer 100 would need to be involved in order for Washington to anticipate this broadcast channel related feature of present claim 1. This is clearly not the case. Accordingly, for at least these reasons, Washington fails to anticipate the present invention and the rejected claims should now be allowed.

Claims 2-4 and 7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Washington et. al. (U.S. Patent 5,920,572) in view of Lee (U.S. Patent 6,373,861), Lin et. al. (U.S. Patent Publication 2003/0058967) and Dumont et. al. (U.S. Patent 6,154,642). However, Lee, Lin, and Dumont are relied upon solely to meet various limitations in the dependent claims. Accordingly, for the reasons discussed above, the combination of Washington, Lee, Lin, and Dumont fail meet the limitations of the base claims and therefore do not obviate the rejected claims.

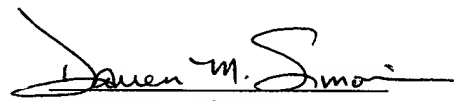
In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

No additional fees are deemed to be required for the filing of this amendment, but if such are, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below. The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:

A handwritten signature in black ink, appearing to read "Darren M. Simon", written over a horizontal line.

Darren M. Simon
Reg. No. 47,946
(212) 588-0800